

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JASON MICHAEL HOLLINGSWORTH,)	
)	
Plaintiff,)	
vs.)	NO. CIV-13-579-D
)	
LAWTON CORRECTIONAL FACILITY,)	
)	
Defendant.)	

ORDER

Plaintiff, a prisoner appearing *pro se*, brought this action pursuant to 42 U. S. C. § 1983, alleging that Defendant has violated his constitutional rights. In accordance with 28 U.S.C. §636(b)(1)(B), the matter was referred to United States Magistrate Judge Shon T. Erwin for initial proceedings.

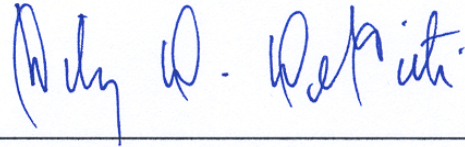
The Magistrate Judge granted Plaintiff's motion for leave to proceed *in forma pauperis* [Doc. No. 9], but ordered Plaintiff to pay an initial partial filing fee of \$54.29 on or before September 12, 2013. He advised Plaintiff that his failure to pay the partial fee by that deadline would result in a recommendation that this action be dismissed without prejudice. Plaintiff was also advised that, in the alternative, he could voluntarily dismiss the action on or before September 12, and he would incur no fees or costs if he did so.

Because Plaintiff failed to pay the initial partial filing fee or voluntarily dismiss this action by September 12, the Magistrate Judge filed a Report and Recommendation [Doc. No. 10] in which he recommended that this action be dismissed without prejudice. In the Report and Recommendation, the Magistrate Judge advised Plaintiff of his right to file an objection to the findings and conclusions set forth therein. The Magistrate Judge scheduled an October 24, 2013 deadline for the filing of an objection, and he cautioned Plaintiff that his failure to timely object

would result in a waiver of the right to appellate review of the factual findings and legal issues in the Report and Recommendation.

The deadline has expired, and Plaintiff has not filed an objection to the Report and Recommendation. Nor has he sought an extension of the deadline for doing so. Accordingly, the Report and Recommendation [Doc. No. 10] is adopted as though fully set forth herein. This action is dismissed without prejudice.

IT IS SO ORDERED this 6th day of November, 2013.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE